

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2326

THIS DOCUMENT RELATES TO:

BILLIE TRIPP-COLLETT,

Plaintiff,

v.

Civil Action No. 2:14-cv-16360

BOSTON SCIENTIFIC CORPORATION,

Defendant.

MEMORANDUM OPINION AND ORDER

On September 13, 2018, a Suggestion of Death was filed by plaintiff's counsel suggesting the death of Billie Tripp-Collett during the pendency of this civil action. [ECF No. 18].

Pursuant to Federal Rule of Civil Procedure 25(a) and Pretrial Order ("PTO") # 191 (Requirements for Counsel to Deceased Plaintiffs) filed in *In re: Boston Scientific Corp., Pelvic Repair System Products Liab. Litig.*, 2:12-md-2326 [ECF No. 6406], the time to substitute a proper party for the deceased party has expired and there has been no motion to substitute the deceased party. Billie Tripp-Collett is the only plaintiff named in this civil action.

The court **ORDERS** that pursuant to Rule 25(a) and PTO # 191, this case is **DISMISSED without prejudice** and **STRICKEN** from the docket. Any pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: August 18, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE